

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NAOMI GLICK,

Plaintiffs,

-against-

ALITALIA AIRLINES and LSG SKY CHEFS, S.P.A.,

Defendants.

x

DOCKET NO.: 10-CV-1177
(JG)(JO)
(ECF CASE)

AMENDED
COMPLAINT

Plaintiff Demands Trial by
Jury

x

Plaintiff, complaining of the defendants herein, by and through her attorneys,
GREENBERG & GREENBERG, LLP, alleges the following:

NATURE OF THE ACTION

This action is brought to redress injuries sustained by the plaintiff as a result of the negligence and breach of duty of care of the defendants during Alitalia flight AZ608 from Rome to New York, on which the plaintiff was injured after biting into a foreign object in her food. The in-flight meal served to the plaintiff was prepared and provided by defendant LSG SKY CHEFS.

JURISDICTION

1. Jurisdiction exists pursuant to Article 17 of the Warsaw Convention, as the matter

involves injury to a passenger of an airline flight, and 28 U.S.C. Section 1332 in that, upon information and belief, total diversity of Jurisdiction exists among the parties. The Plaintiff is a citizen and resident of the State of New York, with a residence at 1360 Ocean Parkway, Brooklyn, New York 11230. Defendant ALITALIA AIRLINES (hereinafter referred to as “defendant ALITALIA”) is a foreign corporation with its principal place of business in Rome, Italy, and defendant LSG SKY CHEFS (hereinafter referred to as “defendant LSG”) is a foreign corporation with its principal place of business in Milan, Italy. The amount in controversy, exclusive of costs and interest, exceeds \$75,000.00.

STATEMENT OF CLAIMS

AS AND FOR A FIRST CLAIM

2. Upon information and belief, at all times hereinafter mentioned, Defendant ALITALIA operated flight AZ608 from Rome to New York on April 12, 2009.
3. Upon information and belief, defendant ALITALIA served a hot meal during that flight which was comprised of broccoli, among other foods (hereinafter referred to as “The Meal”).
4. Upon information and belief, The Meal was prepared, packaged and delivered to defendant ALITALIA for service to passengers on the flight by defendant LSG.
5. On April 12, 2009, Plaintiff Naomi Glick was a lawful passenger on the aforementioned flight, was served the hot meal containing broccoli, and bit down on a

floret of broccoli that contained a foreign object in the nature of a piece of black metal.

6. The defendants, their agents, servants and/or employees, were negligent in their preparation, packaging, delivery and service of food containing a foreign object.

7. As a result of the aforementioned incident, plaintiff NAOMI GLICK suffered numerous serious injuries to her mouth; has suffered and will continue to suffer psychological trauma, emotional distress, and anxiety; has had to endure and will continue to endure terrible pain and suffering; has been obliged to and did incur large bills and expend large sums of money for dental care, which will continue into the future and for which the plaintiff will continue to be obliged; has suffered permanent injuries and impairments of her physical condition, all due to the negligence of the defendants, their agents, servants and/or employees.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff NAOMI GLICK respectfully requests judgment against the Defendants as follows:

A. On the First Claim, in amounts to be determined at trial: compensatory damages against the defendants, and each of them, for past and future pecuniary losses; compensatory damages for past and future non-pecuniary losses (including but not limited to physical pain and suffering, emotional pain & suffering and inconvenience); together with costs and disbursements.

B. For such further relief against the defendants as the Court deems necessary

and proper.

JURY TRIAL DEMAND

Plaintiffs request a jury trial on all questions properly triable by a jury.

Dated: June 8, 2010
New York, NY

Respectfully submitted,

GREENBERG & GREENBERG, LLP

s/ filed electronically via ECF

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